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OFFICE OF PETITIONS

In re Application of
Nicolas J. Hammond
Application No. 09/592,404
Filed: June 13, 2000
Attorney Docket No. 05456.105045

ON PETITION

This is a decision on the petition filed March 5, 2007 to withdraw the holding of abandonment under 37 CFR 1.181.

The petition under 37 CFR 1.181 is **GRANTED**.

This application became abandoned October 27, 2006 for failure to file a timely response to the Notice of Non-Compliant Amendment(37 CFR 1.121) mailed July 26, 2006. Accordingly, a Notice of Abandonment was mailed February 21, 2007.

Petitioner claims that the Notice of Non-Compliant Amendment mailed July 26, 2007 was never received. Petitioners argue that the Notice of Non-Compliant Amendment was mailed to the wrong address as it was mailed to the previous attorneys of record.

A review of the file reveals that a power of attorney and address change was in fact filed on May 31, 2006, but that the attorney and address information was not updated prior to the mailing of the Notice of Non-Compliant Amendment on July 26, 2006. Thus, the Notice of Non-Compliant Amendment was mailed to the wrong address and as petitioners claim, not received.

In view of the above, no petition fees are due. The fees in the amount of \$400 paid with the petition will be credited to deposit account no. 11-0980.

The Notice of Abandonment is withdrawn and the file is being forwarded to Technology Center 2131 for the re-mailing of the Notice of Non-Compliant Amendment originally mailed on July 26, 2006. Telephone inquiries concerning the re-mailing of the Notice of Non-Compliant Amendment should be referred to the Technology Center. All other inquiries regarding this decision may be directed to the undersigned Petitions Attorney at (571) 272-3212.

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Patricia Faison-Ball
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